S.B. Civil Writ Petition No.8642/04
Shree Nandan Yadav
Vs.
The Judge, Labour Court & Anr.

Date of Order : 21/03/2006

Hon'ble Mr. Justice Ajay Rastogi

Mr. Pramod Kumar Sharma, for petitioner

Instant petition has been filed against the award dt.19th April, 2003 whereby the claim filed by the petitioner-workman was rejected by the learned Labour Court, Kota.

The case of the petitioner-workman is that he was appointed as Sanitary Inspector on 8th October, 1991 and without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947, his services were dispensed with w.e.f. 15th June, 1992.

The respondents filed reply to the claim and disputed the fact with respect to his appointment as Sanitary Inspector and also submitted that he had worked on daily wages basis during Dashera Vacation from 7th October, 1991 to 31st October, 1991 for a period of 22 days only.

Learned Labour Court after taking into consideration the material recorded a finding that the petitioner was unable to show his working as alleged in the office of respondents and so also of his holding the post of Sanitary Inspector and so far as attendance register is concerned, finding has

been recorded that his name has been seems to be interpolated in the record and in the absence of which there was no requirement available with the respondents to comply with Section 25-F of the Act of 1947.

Counsel for petitioner submits that the petitioner had worked in the office of respondents and the material which he has placed on record was not at all considered by the learned Labour Court while recording a alleged finding.

I have considered the submission made by the counsel and perused the material on record.

The finding recorded by the Labour Court, in my opinion, is duly supported by material on record and even before this court no contrary evidence has been placed by the petitioner to substantiate his submission.

Consequently, I find no force in the writ petition, the same stands dismissed.

[Ajay Rastogi],J.

FRB